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5 *Attorney for Plaintiff*

6
7 UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
8

9 JOSEPH STOPA, derivatively on behalf of
Nominal Defendant, EQUINIX, INC.,

10 Plaintiff,

11 vs.
12

13 STEVEN CLONTZ, GARY HROMADKO,
SCOTT KRIENS, WILLIAM LUBY,
14 IRVING LYONS, III, CHRISTOPHER
PAISLEY, STEPHEN SMITH, PETER VAN
15 CAMP,

16 Defendants.

17 and

18 EQUINIX, INC.,

19 Nominal Defendant.
20

Case No. 11-CV-02467-SC

Derivative Action

**STIPULATION AND [PROPOSED]
ORDER REGARDING TEMPORARY
STAY OF LITIGATION AND
EXTENSION OF TIME FOR
PLAINTIFF TO FILE AMENDED
COMPLAINT**

21 This stipulation is entered into by and among plaintiff Joseph Stopa ("Plaintiff") and
22 defendants Steven Clontz, Gary Hromadko, Scott Kriens, William Luby, Irving Lyons, III,
23 Christopher Paisley, Stephen Smith, Peter Van Camp and nominal defendant Equinix, Inc.
24 (collectively, "Defendants"), by and through their respective attorneys of record;
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1 WHEREAS, presently pending before this Court is Plaintiff's putative shareholder derivative
2 action against certain officers and directors of Equinix, Inc. ("Equinix" or the "Company") and
3 against nominal defendant Equinix;

4 WHEREAS, on May 20, 2011, Plaintiff filed a Verified Shareholder Derivative Complaint
5 ("Current Complaint");

6 WHEREAS, pursuant to the parties' stipulation, this Court issued an order on October 18,
7 2011 temporarily staying proceedings in the above-captioned action until this Court rules on
8 defendants' motion to dismiss the Amended Class Action Complaint in a related action, *Cement*
9 *Masons & Plasterers Joint Pension Trust v. Equinix, Inc., et al.*, Case No. 11-CV-01016-SC
10 (N.D. Cal.), which is currently set for hearing on February 24, 2012;

12 WHEREAS, pursuant to the stipulated Order entered by the Court on October 18, 2011,
13 plaintiff is to file an amended complaint in this action on or before November 23, 2011, but
14 otherwise all proceedings are stayed pending resolution of the motion to dismiss in *Cement*
15 *Masons*;

17 WHEREAS, Plaintiff in the above-captioned action has requested and Defendants have
18 agreed, subject to approval of the Court, that Plaintiff have an additional twenty-one (21) days to
19 file an Amended Complaint or designate the Current Complaint as the Operative Complaint;

20 WHEREAS, the parties agree that no other provision of the Order entered by the Court on
21 October 18, 2011 should be modified;

22 IT IS ACCORDINGLY STIPULATED, by and between the undersigned counsel for the
23 Parties, that:

24
25 1. Plaintiff shall have through and including December 14, 2011 to file an Amended
26 Complaint or designate the Current Complaint as the Operative Complaint.

27 2. In all other respects, the provisions of the Order issued by the Court on October
28

1 18, 2011 remain unchanged.

2 Dated: November 17, 2011

FENWICK & WEST LLP

3 By: Catherine Kevane

Catherine Kevane

5 FENWICK & WEST, LLP

6 *Attorneys for Defendants Steven Clontz, Gary*
7 *Hromadko, Scott Kriens, William Luby, Irving*
8 *Lyons, III, Christopher Paisley, Stephen Smith,*
9 *Peter Van Camp and nominal defendant Equinix,*
10 *Inc.*

11 Dated: November 17, 2011

12 GREEN WELLING, P.C.

13 By: Robert S. Green

Robert S. Green

14 GREEN WELLING, P.C.

15 FEDERMAN & SHERWOOD
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22 *Attorneys for Plaintiff Joseph Stopa*

23 Pursuant to General Order No. 45 Section X(B), all of the signatories concur in the filing of
24 this stipulation.
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[PROPOSED] ORDER

Pursuant to the foregoing stipulation, it is hereby ordered that:

1. Plaintiff shall have through and including December 14, 2011 to file an Amended Complaint or designate the Current Complaint as the Operative Complaint.
2. In all other respects, the provisions of the Order issued by the Court on October 18, 2011 remain unchanged.

Dated: 11/18/11

